



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/488,511	01/20/2000	Yoshinori Aoki	12819-(JA999-099)	4532

7590 12/11/2003

Leopold Presser  
SCULLY SCOTT MURPHY & PRESSER  
400 GARDEN CITY PLAZA  
GARDEN CITY, NY 11530

EXAMINER
----------

NGUYEN, DANG T

ART UNIT	PAPER NUMBER
----------	--------------

2178

DATE MAILED: 12/11/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No.	Applicant(s)	
	09/488,511	AOKI ET AL.	
	Examiner	Art Unit	
	Dang T Nguyen	2178	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 13 November 2003.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1, 3 - 10, and 12 - 20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1, 3 - 10, and 12 - 20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 12 January 2000 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. §§ 119 and 120**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☒ All    b) ☐ Some \*    c) ☐ None of:  
1. ☒ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.  
a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

**Attachment(s)**

- |                                                                                              |                                                                             |
|----------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                             | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____  |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)         | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ | 6) <input type="checkbox"/> Other: _____                                    |

**DETAILED ACTION**

1. This office action is in response to applicant's amendment received on 11/13/03. Claims 1, 2, 4, 5, 6, 7, 9, 10, 12, 13, 14, and 16, have been amended. Claims 3 and 11, have been canceled. New dependent claims 17 - 20, have been added. Claims 1, 2, 4 - 10, and 12 - 20, are pending on this application.

***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

**Claims 1, 2, 4 - 10, and 12 - 16 remain and claims 17 - 20 are rejected under 35 U.S.C. 102(e) as being anticipated by Cragun et al. U.S. patent No. 6,161,112.**

**Regarding independent claim 1**, Fig. 5 of Cragun discloses a system for customizing a Web page by using at least one computer on which a browser for browsing a Web page runs, said system comprising: means for requesting a original Web page to be customized (Fig. 5 [output line of 510]); means for receiving said requested original Web page (Fig. 5 [input line of 510]) in which a program for

customizing a page is embedded (Fig. 5[129]); means for displaying said received Web page by a browser (Fig. 5 [126]); means for having said program display a control panel for a customizing operation (Figs. 11 and 12); means for customizing a Web page according to a customizing operation by a user using said control panel (Figs. 11 and 12) while said original Web page is retained for other users ( Col. 11 lines 2 - 3 of Cragun disclose the user customize a web page to his or her own individual taste, therefore the original web page from the server 230 of Fig. 5 is retained for other user); and means (Fig. 1 [120]) for storing data pertaining to customizing operation, and the web page is dynamically restored with the customizing data when subsequently accessed by the user (see Fig. 4).

**Regarding dependent claims 2 and 10,** Cragun discloses said means for requesting a Web page is a means for requesting a page from a Web server via a server or for requesting a locally stored Web page (see Fig. 5).

**Regarding dependent claims 4 and 12,** Cragun discloses said means for storing data on a customizing operation is a means for storing said data on a server (inherently included in Fig. 5).

**Regarding dependent claims 5 and 13,** Cragun discloses said system further comprises the means for multiple users with multiple computers for customizing the web pages (col. 4 lines 8 - 10).

**Regarding dependent claims 6 and 14**, Cragun discloses said system further comprises the means for customizing a Web page according to a customizing operation by a user using said control panel from said another computer (see Figs. 11 and 12, and Col. 4 lines 35 - 42).

**Regarding dependent claims 7 and 15**, Cragun discloses said program is executable independent of any operating system or browser (col. 11 lines 20 - 22).

**Regarding dependent claim 8**, Cragun discloses said system comprises a means for immediately reflecting a result of a customizing operation on a browser (Fig. 5[126]).

**Regarding claims 9 and 16**, recite a method and computer program for customizing a Web page which are equivalent to the system as recited in claim 1 and are similarly rejected, as above.

**Regarding to claims 17, 19 and 20**, Cragun et al. as applied to claims 1, 9 and 16 above, further disclose wherein said customizing operation via said control panel includes on or more: adding object, changing an attribute of an object or deleting an object (Fig. 10, Fig. 11, and Fig. 12).

**Regarding to claim 18**, wherein said customizing operation is performed without changing an existing web server providing said original web page or said web browser Col. 11 lines 2 - 3 of Cragun discloses the user customize a web page to his or her own individual taste, therefore the original web page from the server 230 of Fig. 5 is retained for other user).

### ***Response to Argument***

**3. Applicant's arguments filed Nov. 13, 2003 have been fully considered but they are not persuasive.**

Under Remarks section of applicant's argument with respect to independent amended claims 1, 9 and 16, applicant argued that Cragun et al. (U.S. Patent No. 6,161,122) does not teach "storing data pertaining to the customizing operation, wherein the web page is dynamically restored with the customizing data when subsequently accessed by the user." Examiner respectfully disagree with the following reasons:

Figs. 1, 4 and 5, and Col. 2 lines 10 - 21, of Cragun disclose a web page customizing system which allows individual user to alter the presentation of items on a web page down loaded from the web to suit the user's individual taste, wherein the system is clearly discloses: a memory (Fig. 1 [120]) for storing data pertaining to customizing operation (Fig. 4 [440] and Fig. 1 [126, 129] and stored in main memory [120] col. 4 lines 49-50), and the web page is dynamically restored with the customizing data when subsequently accessed by the user (Fig. 4, col. 5 lines 1-2 and col. 6 Lines

1-16 [Flowchart of Fig. 4 is a customized program or a system of mechanism (129), and (129) resides in main memory (120)]). Therefore the same ground of rejection from previous office action is applying to this office action.

### ***Conclusion***

4. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

### ***Contact Information***

5. Any inquiry concerning this communication from the examiner should be directed to Dang Nguyen, who can be reached by telephone at (703) 305-1673. Normal contact

Application/Control Number: 09/488,511  
Art Unit: 2178

Page 7

times are M-F, 8-4:30.

Upon an unsuccessful attempt to contact the examiner, the examiner's supervisor, Heather Herndon, may be reached at (703) 308-5186.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist, whose telephone number is (703) 305-3900.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks  
Washington, D.C. 20231

Or faxed to:

(703) 746-7239 (for formal communications intended for entry)


or:

(703) 746-7238 (for after-final communications)

Hand-delivered responses should be brought to

Crystal Park II, 2121 Crystal Drive  
Arlington, VA, Fourth Floor (receptionist).

Dang Nguyen 12/02/2003

  
STEPHEN S. HONG  
PRIMARY EXAMINER